

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W.A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the TRUSTEE)
FOR THE STATE OF OKLAHOMA,)

Plaintiffs,)

vs.) No. 4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al.)

Defendants.)

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THE DEPOSITION OF JUANA LOFTIN,
produced as a witness on behalf of the Plaintiffs, in
the above styled and numbered cause, taken on the 22nd
day of June, 2006, in the City of West Siloam Springs,
County of Delaware, State of Oklahoma, before me,
Marlene Percefull, Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the State
of Oklahoma.

A P P E A R A N C E S

FOR THE PLAINTIFF:

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-and-
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FOR TYSON FOODS, INC:

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TELEPHONICALLY FOR
CAL-MAINE FARMS, INC.
and CAL-MAINE FOODS,
INC.:

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1 When the chickens -- when you're raising the chickens, 12:09PM

2 who do they belong to?

3 A Simmons.

4 Q Who does the feed belong to?

5 A Simmons. 12:09PM

6 Q Okay. What about when the chickens die, when these

7 chickens were dead, were they your's or Simmons'?

8 A Well, they're Simmons' so that would be our loss.

9 Q Pardon?

10 A It's Simmons' but since we have where they grow and 12:10PM

11 all that work I guess is lost. All that feed, all

12 the -- everything that you put into the chickens is

13 lost.

14 Q The feed that Simmons owns, some of that gets

15 spilled on the floor of the chicken house? 12:10PM

16 A In front of the -- on the feed bins?

17 Q Yeah.

18 A Sometimes.

19 Q Okay. When it spilled, that spilled seed, does

20 that still belong to Simmons? 12:10PM

21 A No, I guess that belongs to us.

22 Q Do you buy the litter that goes on the floor?

23 MR. WILLIAMS: Objection to form.

24 Q Is that correct, you buy the bedding material?

25 A Yes. 12:11PM

1 Q You provide that?

12:11PM

2 A Yes.

3 Q Does Simmons -- has the Simmons' supervisor given

4 you any instruction as to what type of litter or how

5 deep the litter should be, anything like that?

12:11PM

6 MS. TAYLOR: Object to the form.

7 MR. WILLIAMS: Same objection.

8 A Well, it's says supposed to have four inches of

9 litter in there.

10 Q And does Simmons -- is that a Simmons' requirement? 12:11PM

11 A Yes.

12 Q Have you ever been told that in order to get

13 additional birds, that anything needs to be done to the

14 litter?

15 MS. TAYLOR: Object to the form.

12:12PM

16 A No.

17 Q Okay. You have been told by Simmons, though, that

18 you have to make changes to your barns if you're going

19 to continue to receive chickens, is that correct?

20 A That's correct.

12:12PM

21 Q What type of changes are they requiring?

22 A I already done the changes.

23 Q All right. What type of changes were those?

24 A We have conventional houses and we went to the cool

25 cell.

12:12PM